

Version
as at 27 November 2025



Accident Compensation (Review Costs and Appeals) Regulations 2002

(SR 2002/81)

Regulations name: amended, on 1 June 2017, by regulation 4(1)(a) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017 (LI 2017/72).

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 25th day of March 2002

Present:

Her Excellency the Governor-General in Council

Pursuant to section 328 of the Injury Prevention, Rehabilitation, and Compensation Act 2001, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

These regulations are administered by the Ministry of Business, Innovation, and Employment.

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Regulations

1 Title

These regulations are the Accident Compensation (Review Costs and Appeals) Regulations 2002.

Regulation 1: amended, on 1 June 2017, by regulation 4(2) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017 (LI 2017/72).

2 Commencement

These regulations come into force on 1 April 2002.

3 Interpretation

In these regulations, unless the context otherwise requires,—

Act means the Accident Compensation Act 2001

appeal means an appeal under section 149 of the Act

category A review means a review that is not a category B review

category B review means a review of significantly greater than standard complexity

lawyer has the same meaning as in section 6 of the Lawyers and Conveyancers Act 2006

specified registry means the District Court at Wellington.

Regulation 3 **Act**: amended, on 1 June 2017, by regulation 5 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017 (LI 2017/72).

Regulation 3 **category A review**: inserted, on 27 November 2025, by regulation 4(1) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 3 **category B review**: inserted, on 27 November 2025, by regulation 4(1) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 3 **lawyer**: inserted, on 27 November 2025, by regulation 4(1) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 3 **registered specialist**: revoked, on 27 November 2025, by regulation 4(2) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 3 **scope of practice**: revoked, on 27 November 2025, by regulation 4(2) of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

3A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Regulation 3A: inserted, on 27 November 2025, by regulation 5 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Scale of costs and expenses on review

4 Awards of costs and expenses on review

- (1) A reviewer's award under section 148 of the Act to an applicant for review or another person must be—
 - (a) only for the costs and expenses of an item described in column 1 of Schedule 1; and
 - (b) the only award to the applicant for review or other person for those costs and expenses.
- (2) The amount of the reviewer's award for—
 - (a) the costs and expenses of an item described in column 1 of Schedule 1 must not exceed the amount specified (opposite the description) in column 2 of that schedule; and
 - (b) the costs of representation must be based on the following:
 - (i) whether the representative is a lay advocate or a lawyer; and
 - (ii) whether the reviewer decides that the review is a category A review or a category B review.
- (2A) The reviewer must consider the following matters when making a decision under subclause (2)(b)(ii):
 - (a) the complexity of the issue or issues under review; and

- (b) the amount of evidence reasonably required to be submitted to resolve the issue or issues.
- (2B) The following matters may be relevant to the reviewer's decision but will not be determinative:
 - (a) the time spent working on the review by the following persons:
 - (i) the reviewer; and
 - (ii) the parties to the claim; and
 - (iii) the representatives of the parties to the claim; and
 - (b) how much evidence was submitted by the representatives; and
 - (c) the length of any hearing; and
 - (d) the skill and expertise of the representatives.
- (3) Amounts and rates specified in Schedule 1 are inclusive of goods and services tax (if any).

Regulation 4(2): replaced, on 27 November 2025, by regulation 6 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 4(2A): inserted, on 27 November 2025, by regulation 6 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Regulation 4(2B): inserted, on 27 November 2025, by regulation 6 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Rules for conduct of appeals

5 Part 18 of District Courts Rules 2014 excluded

Part 18 of the District Courts Rules 2014 (appeals to District Court) does not apply to an appeal.

Regulation 5: replaced, on 1 July 2014, by regulation 4 of the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Amendment Regulations 2014 (LI 2014/162).

6 Notice of appeal

- (1) A notice of appeal must—
 - (a) be in the form set out in Schedule 2; and
 - (b) have attached to it a copy of the decision appealed against.
- (2) An appellant whose notice of appeal has been sent to or filed in the specified registry may, with the leave of the court, amend the grounds of appeal stated in the notice.

7 Cross-appeals

- (1) This regulation applies if a notice of appeal is sent to or filed in the specified registry and a person (other than the appellant) intends to submit at the hearing of the appeal that the decision appealed against should be modified or quashed.

- (2) The person must, either within 30 working days after the day on which the notice of appeal was served or within any longer time allowed by the court, send to or file in the specified registry a notice of cross-appeal in the form set out in Schedule 2.
- (3) Part 5 of the Act and these regulations apply accordingly with any necessary modifications.

8 Period within which Corporation must make record available

The Corporation must provide items in accordance with section 154(1) of the Act within 20 working days after it receives the copy of the notice of appeal.

9 Judge may fix time and place for directions hearing in relation to appeal

If a notice of appeal is sent to or filed in the specified registry, a Judge may fix a time and place for a directions hearing in relation to the appeal proceedings.

10 Directions related to hearing of appeal

- (1) At a directions hearing, a Judge may make any directions that appear best adapted to secure the just, expeditious, and economical disposal of the appeal proceedings.
- (2) Without limiting the generality of subclause (1), the Judge may—
 - (a) consult the parties as to the necessity for or desirability of the appointment of medical or other assessors for the purposes of the appeal;
 - (b) obtain estimates of time for the duration of the hearing of the appeal;
 - (c) define the issues to be determined on the hearing of the appeal;
 - (d) make any orders that the Judge considers necessary or appropriate under sections 159 and 160 of the Act.

11 Registrar must give notice of decision on appeal

- (1) On the determination of an appeal under section 161 of the Act, the Registrar of the court must give a copy of the court's decision to—
 - (a) the appellant; and
 - (b) each person who, in accordance with section 155(1) of the Act, was entitled to appear at the hearing of the appeal.
- (2) After the time for lodging an appeal against the court's decision has expired, the Registrar of the court must give to the Corporation any documents forwarded to the Registrar under section 154(1) of the Act.

Revocation

12 Revocation

- (1) The Accident Insurance (Review Costs and Appeals) Regulations 1999 (SR 1999/164) are revoked.

- (2) Despite their revocation by subclause (1), the Accident Insurance (Review Costs and Appeals) Regulations 1999 continue to apply for the purposes of section 342(2)(b) of the Act.

Schedule 1AA
Transitional, savings, and related provisions

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Schedule 1AA: inserted, on 27 November 2025, by regulation 7 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Part 1

Provision relating to Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025

Schedule 1AA Part 1: inserted, on 27 November 2025, by regulation 7 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

1 Review arising from claim decision by Corporation before 27 November 2025

- (1) This clause applies to a review arising from a decision.
- (2) An award of costs and expenses under section 148 of the Act in relation to the review must be made in accordance with these regulations as in force immediately before 27 November 2025.
- (3) For the purposes of this clause, **decision** means a decision on a claim made by the Corporation before 27 November 2025.

Schedule 1AA clause 1: inserted, on 27 November 2025, by regulation 7 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Schedule 1

Scale of costs and expenses on review

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Schedule 1: replaced, on 27 November 2025, by regulation 8 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240).

Category	Maximum award (\$)
<p>Representation costs: The actual and reasonably necessary costs associated with engaging lay advocate(s) or lawyer(s) to prepare for, and attend, a hearing. An award in this category may be made only in respect of 1 of the following 4 types of review and once per review, regardless of the number of representatives:</p>	
<i>Lay advocate</i>	
(a) category A review	1,050
(b) category B review	2,100
<i>Lawyer</i>	
(a) category A review	2,100
(b) category B review	4,200
<p>Medical and other evidential reports: Costs associated with obtaining relevant and reasonably necessary medical and other evidential reports from a person with a recognised qualification to express a competent view on a matter in issue (for example, a person undertaking an occupational assessment, an architect, or a general medical practitioner) that an applicant may require to support their case. Awards in this category may be made only in respect of actual and reasonably necessary costs.</p>	4,150
<p>The maximum award for this category is for the entire review (not per report).</p>	
<p>Other expenses: Other expenses that are reasonably necessary and incurred by an applicant or another person, or on behalf of an applicant or another person, associated with a hearing (for example, transport to a hearing or time off work for an applicant, another person, a representative, or for a witness, a support person, or whānau support; disbursements such as photocopying, child care, or telephone charges).</p>	1,500
<p>Transport expenses covered by regulations 8 and 11 of the Accident Compensation (Ancillary Services) Regulations 2002 are to be paid in accordance with those regulations as if, for the purpose of regulating transport expenses, those regulations applied to a hearing.</p>	
<p>The maximum award for this category is for all expenses associated with a hearing.</p>	

Schedule 2 Notice of appeal

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**In the District Court
at Wellington**

No /

Under the Accident Compensation Act 2001
In the matter of an appeal against either a review decision under section 145 *or* 146 *or* a decision as to an award of costs and expenses under section 148
By [full name] of [address]
Appellant

Notice of appeal to District Court

Section 151, Accident Compensation Act 2001

Take notice that the appellant appeals against a decision made under section [either section 145 *or* 146 *or* 148] of the Accident Compensation Act 2001 on an application for review.

Part 1—Decision appealed against

The review was heard at [location] on [day/month/year] by [reviewer].

[The review decision under section 145 *or* 146 *or* the decision as to an award of costs and expenses under section 148] was given by the reviewer on [day/month/year].

The appellant appeals against the following aspects of the decision:

Part 2—Grounds

The appellant bases this appeal on the following grounds:

[for example, *That the decision appealed against includes the following mistakes of fact or law:*].

Part 3—Relief sought

The appellant seeks the following orders:

[for example, *That the review decision be modified in the following respects:* or

That the review decision be quashed and—

- (a) *the Corporation's decision endorsed:* or
 - (b) *the Corporation be required to take the following action:* or
 - (c) *another review be conducted in accordance with the following directions:* or
- That the decision as to an award of costs and expenses be either—*
- (a) *modified in the following respects:* or

(b) *quashed with the following effects:*].

A copy of the decision appealed against is attached to this notice of appeal as required by regulation 6(1)(b) of the Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Regulations 2002.

Appellant's
signature:

Dated: [*day/month/year*].

Appellant's address for service:

Appellant's telephone number:

Schedule 2: amended, on 1 June 2017, by regulation 7 of the Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017 (LI 2017/72).

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 28 March 2002.

Notes

1 *General*

This is a consolidation of the Accident Compensation (Review Costs and Appeals) Regulations 2002 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Accident Compensation (Review Costs and Appeals) Amendment Regulations 2025 (SL 2025/240)

Accident Compensation (Review Costs and Appeals) Amendment Regulations 2017 (LI 2017/72)

Injury Prevention, Rehabilitation, and Compensation (Review Costs and Appeals) Amendment Regulations 2014 (LI 2014/162)